

# **EXHIBIT 21**

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SERIAL NUMBER 84	06/07/95 DATE	MCDANIEL FIRST NAMED APPLICANT	ATTORNEY DOCKET NO. 145
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18M2/0711

LOW, C

EXAMINER

ART UNIT 1804

PAPER NUMBER

26

07/11/95

DATE MAILED:

**NOTIFICATION OF NON-COMPLIANCE WITH 37 CFR 1.192(c)**

28 April 1995 and the supplement filed 1 May 1995

The Appeal Brief filed 1 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See 1092 O.G. 33, July 12, 1988 and MPEP § 1206.

Applicant is given a TIME LIMIT of ONE MONTH from the date of this letter or any time remaining in the period under 37 CFR 1.192(a) for filing a new complete brief. If a new brief that fully complies with 37 CFR 1.192(c) is not timely submitted, the appeal will be dismissed as of the date of expiration of the period provided by 37 CFR 1.192(a). No extension of this one month time limit may be obtained under either 37 CFR 1.136(a) or (b) but the original two-month period under 37 CFR 1.192(a) for filing the brief may be extended under 37 CFR 1.136(a) up to six months from the date of the Notice of Appeal.

1. ☒ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order. (See explanation in box 8 below, if appropriate.)
2. ☒ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims. 37 CFR 1.192(c)(1). (See explanation in box 8 below, if appropriate.) - The brief does not add new the cancelled claims.
3. ☐ The brief does not contain a statement of the status of each amendment filed subsequent to the final rejection. 37 CFR 1.192(c)(2). (See explanation in box 8 below, if appropriate.)
4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters. 37 CFR 1.192(c)(3). (See explanation in box 8 below, if appropriate.)
5. ☒ The brief does not contain a <sup>current</sup> concise statement of the issues presented for review. 37 CFR 1.192(c)(4) (See explanation in box 8 below, if appropriate.) - Issues I, II, and III are not appealable issues and must be removed in toto from the Brief.
6. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto. 37 CFR 1.192(c)(7). (See explanation in box 8 below, if appropriate.)
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal. 37 CFR 1.192(c)(6). (See explanation in below 8 below, if appropriate.)
8. ☒ Explanation in support of items 1-7 above, if appropriate:  
See the attached sheet

REC'D AWD

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NO Docketing -

File went 0/0

Ola

QAB

P21012

COMPUTER INPUT #

Christopher S. F. Low

CHRISTOPHER S. F. LOW  
PRIMARY EXAMINER

GROUP 1800

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Insofar as applicant has appointed an attorney or agent (the firm of Arnold, White & Durkee) to conduct all business before the Patent and Trademark Office. Double correspondence with an applicant/applicant's attorney or agent (indicated as "Conley, Rose, and Tayon" in the "Notice of Appeal", the "Transmittal of the Appeal Brief", and the "appeal Brief") will not be undertaken. Note the absence of any indicated notice of change in power of attorney nor any indicated change in mailing address. Accordingly, applicant is required to conduct all future correspondence with this Office through an appropriately appointed attorney or agent. See 37 C.F.R. 1.33. ✓


As to item 1 of the form PTOL-462, only one copy of the brief was filed (three are needed, see 37 CFR 1.192 (a). The brief is not signed. Moreover, the content of the brief on appeal does not comply with the requirements (attention is directed to the changes set forth in the Federal Register (17 March 1995) at 60 FR 14488 and the Official Gazette (11 April 1995) at 1173 Off. Gaz. Pat. Off. 36. The effective date of the changes to the rule is 21 April 1995. Note the absence of indication of (1) Real party of interest and (2) Related appeals and interferences. ✓

The "SUPPLEMENT NON-REQUISITE PAGES OF THE APPEAL BRIEF" are not *per se* part of the Appeal Brief proper. ✓

Papers related to this application may be submitted by facsimile transmission to Group 1800 via the PTO Fax Center located in Crystal Mall 1 (CM1) and must conform to the notice published in the Official Gazette, 1096 OG 30 (15 November 1989). The telephone number assigned to Art Unit 1804 in the CM1 PTO Fax Center is (703) 308-4312.

Inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Low whose telephone number is (703) 308-2923. Inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

CSFL  
10 July 1995

  
CHRISTOPHER S. F. LOW  
PRIMARY EXAMINER  
GROUP 1800

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COMMISSIONER
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ARTIST	PAPER NUMBER
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DATE MAILED:

26  
07/11/95

NOTIFICATION OF NON-COMPLIANCE WITH 37 CFR 1.192(c)

28 April 1995 and the supplement filed 1 May 1995  
The Appeal Brief filed 1 May 1995 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See 1082 O.G. 88, July 12, 1988 and MPEP § 1208.

Applicant is given a TIME LIMIT of ONE MONTH from the date of this letter or any time remaining in the period under 37 CFR 1.192(a) for filing a new complete brief. If a new brief that fully complies with 37 CFR 1.192(c) is not timely submitted, the appeal will be dismissed as of the date of expiration of the period provided by 37 CFR 1.192(a). No extension of this one month time limit may be obtained under either 37 CFR 1.138(a) or (b) but the original two-month period under 37 CFR 1.192(a) for filing the brief may be extended under 37 CFR 1.138(a) up to six months from the date of the Notice of Appeal.

1. ☒ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order. (See explanation in box 8 below, if appropriate.)
2. ☒ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims. 37 CFR 1.192(c)(1). (See explanation in box 8 below, if appropriate.) - *The brief does not add on the cancelled claims.*
3. ☐ The brief does not contain a statement of the status of each amendment filed subsequent to the final rejection. 37 CFR 1.192(c)(2). (See explanation in box 8 below, if appropriate.)
4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters. 37 CFR 1.192(c)(3). (See explanation in box 8 below, if appropriate.)
5. ☒ The brief does not contain a concise statement of the issues presented for review. 37 CFR 1.192(c)(4). (See explanation in box 8 below, if appropriate.) - *Issues I, II, and III are not appropriate issues and must be raised as to the Brief.*
6. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto. 37 CFR 1.192(c)(7). (See explanation in box 8 below, if appropriate.)
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal. 37 CFR 1.192(c)(8). (See explanation in box 8 below, if appropriate.)
8. ☒ Explanation in support of items 1-7 above, if appropriate:  
*See the attached sheet.*

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JUL 18 1995

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*No Docketing -  
File went 9/0*

*OK*

*CRB*

*P21012*  
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*Christopher S.F. Low*  
CHRISTOPHER S.F. LOW  
PRIMARY EXAMINER  
GROUP 1803

Serial Number 08/252,384  
Art Unit 1804

Attachment to form PTOL-462

**APPLICANT COPY**

Insofar as applicant has appointed an attorney or agent (the firm of Arnold, White & Durkee) to conduct all business before the Patent and Trademark Office. Double correspondence with an applicant/applicant's attorney or agent (indicated as "Conley, Rose, and Tayon" in the "Notice of Appeal", the "Transmittal of the Appeal Brief", and the "appeal Brief") will not be undertaken. Note the absence of any indicated notice of change in power of attorney nor any indicated change in mailing address. Accordingly, applicant is required to conduct all future correspondence with this Office through an appropriately appointed attorney or agent. See 37 C.F.R. 1.33.


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Inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Low whose telephone number is (703) 308-2923. Inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

CSFL  
10 July 1995

  
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**DATE:** July 24, 1995  
**TO:** Steve McDaniel  
**COMPANY:** Conley, Rose & Tayon  
**AT FAX NO.:** 238-8008  
**FROM:** Pat Kammerer

**FILE: TAMK153****SENDER'S PHONE: 787-1438****NO. OF PAGES TO FOLLOW: 2****U R G E N T**

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ATTACHED IS A NOTIFICATION OF NON-COMPLIANCE WITH 37 CFR 1.192(c)  
RECENTLY RECEIVED FROM THE PATENT AND TRADEMARK OFFICE. THE  
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*The documents accompanying this facsimile transmission contain information from the law firm of Arnold, White & Durkee which may be confidential and/or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this facsimile information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.*

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APPLICATION NUMBER	FILED DATE	FILED NAME OF ATTORNEY	ATTORNEY DOCKET NO.
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7525354

06/01/95

NEBENEL

NAME 143

EXAMINER

LEAD INVENTOR SIGNATURE NUMBER

30

PATRICIA A. HAMMER  
ARNOLD WHITE & BURKE  
P.O. BOX 4433  
HOUSTON, TX 77210-4433

DATE MAILED:  
1994

11/20/95

This is in response to the Power of Attorney filed

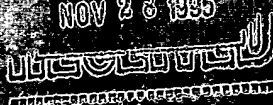
05/16/95

- ☒ 1. The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record, 37 CFR 1.33.
- ☒ 2. The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record, (37 CFR 1.33).
- ☒ 3. The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record, 37 CFR 1.33.

*[Signature]*  
This is a communication from the  
Patent and Trademark Office

- ☒ 4. The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the below-noted address as provided by 37 CFR 1.33.
- ☒ 5. The Power of Attorney in this application is not accepted for the reason(s) checked below:
- ☐ a. The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73 (b) has not been received.
- ☐ b. The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- ☐ c. The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- ☐ d. The signature of \_\_\_\_\_, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor.
- ☐ e. The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent & Trademark Office.
- ☒ f. The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.

NOV 20 1995



C. STEVEN MC DANIEL  
CONLEY ROSE & TAYLOR  
P.O. BOX 3257  
HOUSTON, TEXAS 77257-3257

*[Signature]*  
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Patent and Trademark Office